

REMARKS

Claims 1-11 and 13 were previously cancelled. Claims 14-17 have been amended. Claims 12 and 14-18 are pending. The Office has rejected the claims as follows: claims 14-17 are rejected for being indefinite; claims 12 and 14-18 are rejected under 103(a) over Wharton (US 2005/0027610) (“Wharton”) in view of Bednarek (US 6,965,868) (“Bednarek”). The undersigned respectfully submits that in view of the amendments above and arguments presented herein, the pending claims are allowable over the art cited.

Rejection of claims 14-17 as being Indefinite for Lacking Antecedent Basis

Claims 14-17 have been amended by replacing “mobile commerce system” with “method” as noted above. It is respectfully submitted that this rejection is moot in view of amended claims 14-17.

**Rejection of claims 12 and 14-18 as being Unpatentable
Over Wharton in View of Bednarek**

Independent claim 12 contains the following language and independent claim 18 contains similar language in means format:

12. (Previously Amended) A method for conducting mobile commerce comprising:

transmitting in a first language a request message for merchant website information from a mobile device;

receiving the request message in the first language at a platform and identifying the first language;

translating the request message at the platform from the first language to a second language that is recognizable by a merchant website;

communicating the translated request message in the second language from the platform to the merchant website;

receiving at the platform the requested merchant website information from the merchant website in the second language;
recognizing the second language at the platform;
parsing the requested merchant website information in the second language into translatable pieces;
translating the translatable pieces of the requested website information into the first language so as to form a reply message containing the requested merchant website information in the first language; and
transmitting the reply message to the mobile device;
transmitting a purchase request in response to the reply message in a first language to the platform;
receiving the purchase request in the first language at a platform and identifying the first language;
translating the purchase request at the platform from the first language to a second language that is recognizable by the merchant website;
communicating the translated purchase request in the second language from the platform to the merchant website;
receiving at the platform a purchase request response from the merchant website in the second language, wherein the purchase request response includes a payment authorization request;
forwarding the purchase request response in the second language from the platform to a payment authorization system for a payment authorization response;
receiving at the platform, the purchase request response, including the payment authorization response, in the second language from the payment authorization system;
parsing the purchase request response in the second language into translatable pieces;
translating the translatable pieces of the purchase request response into the first language so as to form a purchase request response in the first language; and
transmitting the purchase request response in the first language to the mobile device.

In the Office Action, the Office concedes that, "... Wharton does not specifically teach a customer mobile device." *Office Action*, p. 3. Therefore, Wharton cannot teach at least the bold limitations of claim 12 above regarding a purchase request from a customer mobile device.

The Office argues that Bednarek, however, remedies the shortcomings of Wharton. This argument is respectfully traversed. It is respectfully submitted that Wharton and Bednarek fail, either alone or in combination, to provide a proper basis for the 103 rejection.

Bednarek fails to teach, and even teaches away from, receiving a purchase request and transmitting a purchase request response to a mobile device. Bednarek discloses a cellular position locator (CPL) that takes data concerning which base station a cellular call is emanating from and correlates that information to a merchant directory to identify brick and mortar retailers in the same geographic location so that the caller can make in-store purchases. *See, e.g.*, col. 67, lines 6-12; lines 34-39.

Accordingly, Bednarek teaches away from the claimed invention. Further, it is respectfully submitted that the piecemeal combination of Wharton and Bednarek is insufficient to provide the motivation to combine certain prior art teachings while ignoring others as discussed above.

The arguments presented above with respect to claim 12 is equally applicable to claims 14-18.

CONCLUSION

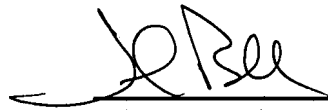
For the reasons set forth herein, the undersigned submits that the claims are allowable over the cited art and respectfully requests a notice of allowance to this effect. Should the Office feel that contacting undersigned will expedite prosecution, please do not hesitate to do so at the number provided below.

Serial No. 10/028,718

Docket No. CITI0243

Respectfully submitted,

Date: 8/17/07
KILPATRICK STOCKTON LLP
607 14th Street, N.W., Suite 900
Washington, D.C. 20005
(202) 508-5800
(202) 508-5858
T0091/248312
WSHLIB01:208291



John W. Ball Jr.
Registration No. 44,433